



Department of Justice

United States Attorney Rodger A. Heaton
Central District of Illinois

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CONTACT: SHARON PAUL
PHONE: (217) 492-4450

PROJECT SAFE CHILDHOOD: EAST GALESBURG MAN CHARGED WITH POSSESSING, DISTRIBUTING CHILD PORNOGRAPHY

Peoria, Ill. - A federal grand jury today returned an indictment charging Mark A. Hathaway, of East Galesburg, Illinois with possession and distribution of child pornography. The indictment alleges Hathaway distributed child pornography via the Internet on or about March 13, 2008 and that he possessed child pornography from March 2008 through October 6, 2008.

Hathaway, 38, of the 400 block of West Main Street in East Galesburg, was arrested and charged by criminal complaint on October 7, 2008. U.S. Magistrate Judge John A. Gorman ordered Hathaway remain detained in the custody of the U.S. Marshals Service pending trial. A trial date will be set when Hathaway is arraigned on the indictment.

Agencies participating in Illinois' Internet Crimes Against Children (ICAC) task force and U.S. Immigration and Customs Enforcement, in partnership with the Central Illinois Cybercrime Unit (CICU) worked cooperatively with South Carolina's ICAC task force to investigate the allegations. The case is being prosecuted by Assistant U.S. Attorney Gregory R. Walters in the Central District of Illinois under the Department of Justice's Project Safe Childhood program.

U.S. Attorney Rodger A. Heaton stated, "These charges represent the effectiveness of partnering federal, state and local law enforcement throughout the nation in defense of children. We will continue to do all that we can to stop child predators from using the Internet to exploit innocent children."

"Today's indictment demonstrates how our High Tech Crimes Unit and the Illinois Internet Crimes Against Children (ICAC) task force assist law enforcement in tracking down Internet predators," said Attorney General Lisa Madigan. "The referral to my office from the South Carolina ICAC was followed up and, with the assistance of our local and federal partners, the suspect was quickly identified and arrested, preventing his ability to prey on children. We are committed to using all of our resources to hold child pornographers accountable for their crimes," Madigan continued.

(More)

"We've made it an agency priority to stop predators from using the Internet to abuse and exploit innocent children," said Gary Hartwig, Special Agent-in-Charge for the Chicago ICE Office of Investigations. "ICE is committed to protecting those who cannot protect themselves, and the victims of child sexual exploitation are at the top of that list."

If convicted, distribution of child pornography carries a statutory minimum penalty of five years to 20 years in prison. Possession of child pornography is punishable by up to 10 years imprisonment. Both offenses carry terms of up to life supervised release following any term of imprisonment.

The affidavit filed in support of the complaint alleges Hathaway initiated and engaged in sexually-explicit Internet chats with an undercover officer he believed was a 12-year-old girl. According to the affidavit, the detective, of the Lexington County, South Carolina Sheriff's Office, logged into a Yahoo! Fetish Room chat in November 2007, using an undercover persona of a 12-year-old girl, when she was contacted and engaged in a private chat with a screen name that was subsequently traced to Mark Hathaway. Hathaway allegedly continued to contact and engage in explicit sexual chats with the undercover officer using the persona of the young girl on various occasions through March 2008.

According to the affidavit, the East Galesburg Police Department and Knox County Sheriff's Office assisted federal agents and ICAC members in the execution of a search warrant at Hathaway's home on October 6, 2008. A preliminary digital evidence forensic examination of computer digital media storage items seized revealed images and videos of child pornography.

Members of the public are reminded that an indictment is merely an accusation; the defendant is presumed innocent unless proven guilty.

The Attorney General's office, through a grant from the Department of Justice, operates the ICAC task force, one of 59 task forces across the nation designed to investigate child exploitation crimes and to provide Internet safety education.

The case was brought as part of Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by U.S. Attorneys, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov.

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